**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**

**SPECIAL CIVIL APPLICATION No. 15243 of 2003**

**For Approval and Signature:**

**HONOURABLE MR. JUSTICE B.J.SHETHNA**
**AND**
**HONOURABLE MR.JUSTICE H.B.ANTANI**

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1 Whether Reporters of Local Papers may be allowed to see the judgment?

2 To be referred to the Reporter or not?

3 Whether Their Lordships wish to see the fair copy of the judgment?

4 Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any Order made thereunder?

5 Whether it is to be circulated to the Civil Judge?

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**NARENDRABHAI TIWARI AND OTHERS - Petitioners**
**Versus**
**SECRETARY AND OTHERS - Respondents**

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**Appearance :**
MR NK MAJMUDAR for the Petitioners.
MR KAMAL TRIVEDI, ADVOCATE GENERAL WITH MR SUNIT SHAH, GOVERNMENT PLEADER WITH MS SANGEETA VISHEN, ASSISTANT GOVERNMENT PLEADER for Respondent – Government Authorities.
MR MD PANDYA for Respondent : 5.
MR JB PARDIWALA for Respondent : 6.

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**CORAM : HONOURABLE MR. JUSTICE B.J.SHETHNA**

**and**

**HONOURABLE MR.JUSTICE H.B.ANTANI**

**Date : 13/02/2007**

**ORAL JUDGMENT**

**(Per : HONOURABLE MR. JUSTICE B.J.SHETHNA)**

1. Shri Narendrabhai Tiwari, President, Baroda Bar Association and two other office bearers of the Baroda Bar Association have filed this Writ Petition in the form of Public Interest Litigation through their learned Counsel Shri N. K. Majmudar praying for an alternative suitable land for the new Court Complex at Vadodara.

2. This petition was filed way back in 2003. During the pendency of the petition, a Special Committee was appointed under the orders of the Court which had submitted its report to the State Government. The State Government accepted the report of the Committee and allotted 43,750 Sq. Mtrs. of land for the new Court Complex at Vadodara. The said order was ordered to be taken on record of the case on the last occasion. On that very date itself, the matter could have been disposed of, but it was brought to our notice by the learned Counsel Shri N. K. Majmudar for the petitioners that the Committee had also recommended for keeping additional adjoining

land reserved for future expansion of the Court Complex. Therefore, the matter was adjourned to today.

3. Today, learned Advocate General Shri Kamal Trivedi, appearing with learned Government Pleader Shri Sunit Shah and learned Assistant Government Pleader Ms. Sangeeta Vishen, stated at the Bar that the State Government has also reserved additional land of 4148 Sq. Mtrs. for future expansion. He has place on record a photostat copy of the order dated 08-02-2007 passed by the Under Secretary, Revenue Department of State of Gujarat. This is ordered to be taken on record.

4. In view of the above, nothing survives in the matter and accordingly, it is required to be disposed of. However, before parting, we must state that, in the instant case, the respondent – State Government has taken positive approach in the matter and solved the long standing problem of Baroda Court Complex. It was possible only because of the initiative taken by the President, Baroda Bar

Association and the other office bearers by way of this Writ Petition, which was filed through learned Counsel Shri N. K. Majmudar, who has also taken lot of initiative in the matter and rendered valuable assistance to the Court. So also, learned Advocate General Shri Kamal Trivedi, learned Government Pleader Shri Sunit Shah and other officers of the State Government.

5. We hope and trust that if there is any such problem in future, then the matter may be tried to be solved by way of ADR before approaching the Court, which would save valuable time of the Court. Once the matter comes to an end, all the interim orders passed in the matter stand vacated forthwith. Rule discharged. No costs.

**[B. J. SHETHNA, J.]**

**[H. B. ANTANI, J.]**

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